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Attorney for Laura A. Gaddy and the Class

IN THE UNITED STATES DISTRICT COURT, DISTRICT OF UTAH

LAURA A. GADDY, individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

**CORPORATION OF THE
PRESIDENT OF THE CHURCH
OF JESUS CHRIST OF LATTER-
DAY SAINTS**, a Utah corporation
sole.

Defendant

**NOTICE OF INTENT TO FILE
“MOTION FOR LEAVE TO FILE A
SECOND AMENDED COMPLAINT”**

(DEMAND FOR JURY TRIAL)

2:19-cv-00554-RJS--DBP

Presiding Judge: Robert J. Shelby

Magistrate Judge: Dustin B. Pead

**PLAINTIFF HEREBY GIVES NOTICE THAT SHE INTENDS TO MOVE FOR
THE COURT’S PERMISSION TO FILE A SECOND AMENDED COMPLAINT.**

Plaintiff advises the Court and Counsel that she intends to move for leave to file a Second Amended Complaint (“2AC”) under Fed. R. Civ. Proc. 15(a)(2). Plaintiff respectfully requests that the Court wait until it has read the “Motion for Leave to File a 2AC (and the proposed 2AC that would be attached to that motion),” before issuing an order of judgment on the “Motion to Dismiss the Amended Complaint” which was taken

under submission approximately 44 days ago at the Jan. 5, 2021 hearing.

The Motion is not meant to usurp the Court's authority to rule on the prior motion, but due to procedural requirements, would be filed preemptively in order to protect Plaintiff's and the Putative class's ("Plaintiffs") interests so that justice could be served. Respectfully, the undersigned believes that it would not waste the Court's time but would serve to move the litigation forward, whether in trial or through appeal.

This Notice of Intent is filed concurrently with a Motion for Permission to file "Motion for Leave to File a Second Amended Complaint," and "Motion for Leave to File an Overlength Memorandum" in support thereof. The Motion for Leave to so file, and accompanying proposed 2AC, have both been drafted and would be ready to file within two business days of Plaintiff's receipt of the Court's decision on whether she has permission to file the "Motion for Leave to File a 2AC" and if so, whether an overlength memorandum is allowed as requested.

Respectfully,

DATED: February 17, 2021. Kay Burningham, Attorney at Law

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